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C O N F I D E N T I A L SECTION 01 OF 02 BEIRUT 003460

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [SY](#) [LE](#) [IS](#)
SUBJECT: LEBANON: UNIIIC CHIEF OF INVESTIGATIONS SAYS
SOLID PROGRESS BEING MADE

Classified By: Charge d'Affaires Christopher W. Murray. Reason: Section 1.4 (b)

SUMMARY

¶1. (C) UNIIIC Chief of Investigations Peter Nicholson stated that UNIIIC's investigation is making solid progress along several lines of inquiry. Now that the Commission's full staff is back in residence in Beirut, Nicholson said the remaining work has been organized so that Brammertz and his staff will complete their work in the March-June 2007 timeframe. Nicholson indicated that the next scheduled report, due in mid-December, will be similar to the September report -- focused on process and compliance by the applicable parties, with little revealed concerning specific findings. Nicholson said that both he and Commissioner Brammertz have been asked by the UN Secretariat to remain at their positions until the Commission has completed its work. Although Brammertz has not yet committed himself to an extension, Nicholson said that if Commissioner Brammertz could receive assurances from the ICC that such a move was acceptable, he would readily do so, because he felt the Commission's work was proceeding extremely well. End summary.

¶2. (C) Emboff met with UNIIIC's Chief of Investigations Peter Nicholson and Investigator Rosemary Nidiry at the Commission's headquarters in Monteverde on October 25. Commissioner Brammertz stopped by the meeting for a few minutes and expressed his confidence that with the return of his staff from Cyprus (where they had temporarily moved during the July-August conflict in Lebanon), the investigation was making solid, steady progress and was on track to complete its work in spring 2007. Although the meeting was principally taken up with new UNIIIC requests for USG assistance, both Nicholson and Nidiry also discussed the Commission's progress and remaining challenges. (Note: UNIIIC requests for technical assistance were sent to the Department earlier by other means. End note.)

¶3. (C) Peter Nicholson echoed the confidence of Commissioner Brammertz in stating that UNIIIC investigators were making solid progress in narrowing down the realm of the possible into hard conclusions supported by multiple lines of evidence. When asked for a timetable, however, he unexpectedly said the Commission's next report (due in mid-December) would be similar to the September document -- focused on compliance and process, rather than substantive conclusions or discussion of specific lines of inquiry. Nicholson did, however, state that Commissioner Brammertz is aiming to complete the investigation by spring 2007,

specifically March-June, with the emphasis on March.

14. (C) In addition to tightly narrowing down its investigation, Nicholson said the Commission's staff are also carefully compiling the evidence according to prosecutorial standards, so that when the Special Tribunal is established, the transfer of the case and related documentation will be of a quality such that the Tribunal will be able to focus almost exclusively on prosecutions. He said that Brammertz is anticipating a careful, detailed handover when that time comes, but does not expect the UNIIIC itself to last much beyond the Tribunal's "fully operational" date. Nicholson said there is little appetite for the UNIIIC to remain as a long-term support function for the Tribunal.

15. (C) Concerning personnel matters, Nicholson and Nidirý said that almost to a person, UNIIIC's staff is energized and wants to see this through, even though that means several staff members are "holding off" their home offices. Nicholson said that both he and Commissioner Brammertz have been asked to stay on until the job is finished, but he also indicated that their parent organization, the International Criminal Court, may have to be persuaded of the need. Rosemary Nidirý likewise said her home organization, the U.S. Attorney's Office in New York, will have to be convinced of the desirability of allowing her to remain in Beirut until spring.

16. (C) The bulk of the meeting was spent discussing the Commission's new requests for technical assistance that covered a range of disciplines. Both Nicholson and Nidirý emphasized that although several of their requests will admittedly be difficult to fulfill, such assistance would

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greatly facilitate the end game of their investigation, and improve the confidence level of their findings. Nicholson stated that if there were sensitive issues of "releasability" involved, Commissioner Brammertz was open to any practical solution. Nidirý did not know whether it was applicable, but she wanted to remind us that she held a USG security clearance through her former position at the Department of Justice.

17. (SBU) Either Peter Nicholson or Rosemary Nidirý are available to visit Washington in mid-November to hold talks with appropriate USG agencies. Nicholson asked whether this timing would be convenient and stated either he, or Nidirý, or both, could make the trip.
MURRAY